

Docket No.: 065933-0270

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Jun KITAKADO, et al.	:	Confirmation Number: 6931
	:	
Application No.: 10/577,766	:	Group Art Unit: Not Yet Assigned
	:	
Filed: April 28, 2006	:	Examiner: Not yet assigned
	:	

For: TRANSMISSION RATE DETERMINING METHOD, AND BASE STATION  
APPARATUS AND TERMINAL APPARATUS UTILIZING THE SAME

## RESPONSE TO NOTICE

OF MISSING REQUIREMENTS

Mail Stop Missing Requirements  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Requirements dated November 3, 2006, submitted  
herewith are the following for filing in the above-referenced application:

1. 48 pages of English Translation of Specification, Claims and Abstract
2. \$130 English Translation Surcharge.
3. Preliminary Amendment

Please charge Deposit Account No. 500417 in the amount of \$130.00. To the extent  
necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any  
shortage in fees due in connection with the filing of this paper, including extension of time fees,  
to Deposit Account 500417 and please credit any excess fees to such deposit account.

01/04/2007 MKAYPAGH 00000104 500417 10577766

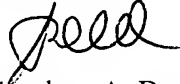
01 FC:1617 130.00 DA

**Application No.: 10/577,766**

It is requested that the official filing receipt now be issued.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Stephen A. Becker

Registration No. 26,527

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Washington, DC 20005-3096  
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**Date: January 3, 2007**

**Please recognize our Customer No. 20277  
as our correspondence address.**

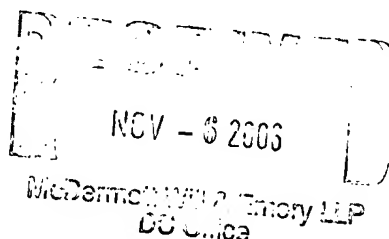


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/577,766	Jun Kitakado	065933-0270

20277  
 MCDERMOTT WILL & EMERY LLP  
 600 13TH STREET, N.W.  
 WASHINGTON, DC 20005-3096



INTERNATIONAL APPLICATION NO.	
PCT/JP04/15033	
I.A. FILING DATE	PRIORITY DATE
10/12/2004	10/31/2003

CONFIRMATION NO. 6931  
 371 FORMALITIES LETTER



\*OC000000021064185\*

Date Mailed: 11/03/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/28/2006
- English Translation of the IA filed on 04/28/2006
- Copy of the International Search Report filed on 04/28/2006
- Preliminary Amendments filed on 04/28/2006
- Information Disclosure Statements filed on 04/28/2006
- Oath or Declaration filed on 04/28/2006
- Request for Immediate Examination filed on 04/28/2006
- U.S. Basic National Fees filed on 04/28/2006
- Assignment filed on 04/28/2006
- Priority Documents filed on 04/28/2006
- Power of Attorney filed on 04/28/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
  - The number of claims in the International Application and the number of claims in the translation are not the same.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,766	PCT/JP04/15033	065933-0270